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suit." Acts 1867, p. 151, sec. 2. This is as broad in its provisions as sec. 29, ch. 31, of the Rev. Code of 1843, which was held by this court, in *Andrews v. Russel*, 7 Blackf. 474, to embrace contracts made before, as well as those made after, its passage.

Indeed, it has been repeatedly held by this court, that the law in force at the time the remedy is sought must govern as to questions of usury.

In *Rathburn v. Wheeler*, 29 Ind. 601, it was held, where a note was executed in 1861, on the face of which usurious interest was included, and afterwards payments of usurious interest were made thereon, in 1865 and 1866, and suit was brought on the note after the Act of 1867, regulating interest, was passed and went into force, that that act governed.

In *Wood v. Kennedy*, 19 Ind. 68, the learned judge delivering the opinion of the court said, "The change made in the Interest Law, then, by the Act of 1861, is mainly in relieving from penalties, or consequences in the nature of penalties, and is not one impairing the obligation of the terms of the contract, but rather enforcing or validating them. In such cases the law in force at the time the remedy is sought upon the contract governs."

The court below committed no error in giving the instruction asked by the plaintiff, or in refusing that asked by the defendant, as to the rate of interest recoverable on the note.

The judgment is affirmed, with costs.

United States District Court, Eastern Dist. of Pennsylvania.

IN RE ANGIER.

A sale by an assignee under the Bankrupt Act, will not pass the real estate to the vendee discharged of the dower of the bankrupt's wife.

A SALE was made by an assignee in bankruptcy of real estate of the bankrupt. It was stated at the sale that the title should be clear of all charge and encumbrances.

On a motion to confirm the sale, an exception was filed by the purchaser, that the wife of the bankrupt if she survived him would be entitled to dower.

George L. Crawford, for the exception.—The case is ruled in principle by *Eberle v. Fisher*, 1 Harris 526.

David W. Sellers, for the assignee.—Where the estate of the debtor is divested by operation of law dower is barred. The Act of 1867 divests the estate as much as a sale for the payment of debts. The exceptions in section 14 do not save the rights of married women. The Act of 1841 did; and hence the ruling in *Worcester v. Clark*, 2 Grant 84, does not apply.

CADWALADER, J.—The wife's right of dower having been established by the Pennsylvania decisions against the assignee in insolvency, there is no doubt that the purchaser's objection to the title is valid.

ABSTRACTS OF RECENT AMERICAN DECISIONS.

SUPREME COURT OF THE UNITED STATES.¹

SUPREME COURT OF INDIANA.²

SUPREME COURT OF MISSOURI.³

SUPREME COURT OF NEW HAMPSHIRE.⁴

COURT OF CHANCERY OF NEW JERSEY.⁵

SUPREME COURT OF PENNSYLVANIA.⁶

SUPREME COURT OF TENNESSEE.⁷

ABANDONED PROPERTY.

Seizure of.—Under the Act of Congress, approved March 12th 1863, authorizing the secretary of the treasury to appoint agents to collect abandoned property, the right to collect abandoned property does not depend upon the "loyalty" or "disloyalty" of the owner. That becomes a question only upon application to the government to restore the proceeds: *Hart v. Reynolds*, 1 Heiskell.

Property was not subject to seizure as abandoned, unless the owner was engaged in rebellion, either in arms or otherwise, or gave aid and comfort to those so engaged: *Id.*

Property left in the care of another person, under a colorable sale,

¹ From Jno. Wm. Wallace, Esq.; to appear in vol. 10 of his Reports.

² From J. B. Black, Esq., Reporter; to appear in 32 Ind. Reports.

³ From C. C. Whittlesey, Esq., late Reporter; to appear in 46 or 47 Mo. Rep.

⁴ From the Judges of the Court; to appear in 49 N. H. Rep.

⁵ From C. E. Green, Esq.; to appear in vol. 6 of his Reports.

⁶ From P. F. Smith, Esq., Reporter; to appear in 63 Penn. Rep.

⁷ From J. B. Heiskell, Esq., Reporter; to appear in vol. 1 of his Reports.